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4 DAVID KHAN,  
5 Plaintiff,  
6 v.  
7 DALY CITY POLICE DEPARTMENT, et al.,  
8 Defendants.  
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10 Case No. 23-cv-00400-AMO (PR)  
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**12 ORDER GRANTING PLAINTIFF'S  
13 MOTION TO STAY THE INSTANT  
14 ACTION; AND DIRECTIONS TO  
15 CLERK**

16 Re: Dkt. No. 10  
17

18 Before the Court is plaintiff's "Request for Extension or Order to Stay []." Dkt. 10.  
19 Plaintiff informed the Court that he is expected to be released "before January 4th, 2024 or  
20 sooner," and that at High Desert State Prison he has been subjected to "multiple lockdown[s]  
21 which extended until July 2023 with very limited access to resources." *Id.* at 1. He "request[s]  
22 this Court to grant [an] extension or for [an] order to stay until [plaintiff] is released . . ." *Id.*  
23 Consequently, the Court GRANTS a stay of the instant action.

24 Accordingly, all further proceedings in this case are hereby STAYED. The Clerk of the  
25 Court shall ADMINISTRATIVELY CLOSE this case until further order of the Court. Within  
26 **one-hundred-and-twenty (120) days** of plaintiff's release from prison, he may file a motion  
27 asking the Court to lift the stay. After lifting the stay, the Court will then screen the complaint and  
28 enter a scheduling order for further proceedings.

This Order terminates Docket No. 10.

**IT IS SO ORDERED.**

Dated: September 5, 2023

  
29 ARACELI MARTÍNEZ-OLGUÍN  
30 United States District Judge  
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